

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

DRYAIR 2000, INC.,	)	
	)	
Plaintiff,	)	
v.	)	No. 1:07-CV-22
	)	
BLUE WINGED OLIVE, L.L.C., d/b/a,	)	Judge Curtis L. Collier
SERVPRO OF NORTH CHATTANOOGA,	)	
ENVIRONMENTAL MANAGEMENT &	)	
ENGINEERING, INC., and PATRICK	)	
MOFFETT,	)	
	)	
Defendants,	)	
	)	
BLUE WINGED OLIVE, L.L.C., d/b/a,	)	
SERVPRO OF NORTH CHATTANOOGA,	)	
	)	
Third-Party Plaintiff,	)	
	)	
v.	)	
	)	
DRYAIR GULF COAST, L.C., and	)	
JAMES GORAB,	)	
	)	
Third-Party Defendants.	)	

**ORDER**

Third-Party Plaintiff, Blue Winged Olive, LLC, d/b/a Servpro of North Chattanooga (“Servpro”) filed a motion for default judgment (Court File No. 32), which the Court referred to United States Magistrate Judge William Carter pursuant to 28 U.S.C. § 636(b)(1)(B) and (C) (Court File No. 33). In accordance with Rule 72(b) of the Federal Rules of Civil Procedure, Judge Carter filed his report and recommendation recommending judgment be entered awarding Servpro \$125,000 in damages against DryAir Gulf Coast, L.C., and James Gorab (Court File No. 41). No

party filed an objection within the given ten days.

After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. The Court **ACCEPTS** and **ADOPTS** the magistrate judge's findings of fact, conclusions of law, and recommendations pursuant to Section 636(b)(1) and Rule 72(b).

Accordingly, pursuant to Rule 58(a) of the Federal Rules of Civil Procedure, the Court will set forth a separate document entering a judgment in favor of Servpro against DryAir Gulf Coast, L.C. and James Gorab.

**SO ORDERED.**

**ENTERED:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**